

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DEREK A. CAPOZZI,	:	No. 1:11-cv-1628
Plaintiff	:	
	:	
v.	:	(Judge Kane)
	:	
K. PIGOS, <u>et al.</u>,	:	(Magistrate Judge Mehalchick)
Defendants	:	

ORDER

Before the Court is Magistrate Judge Mehalchick's Report and Recommendation (Doc. No. 86), recommending that the Court grant Plaintiff Derek A. Capozzi's motion to voluntarily dismiss all remaining claims in the matter with prejudice (Doc. No. 79). Magistrate Judge Mehalchick also recommends that the Court dismiss the following motions as moot: (1) Defendants' second motion to dismiss (Doc. No. 69), (2) Plaintiff's motion to amend (Doc. 74), and (3) Plaintiff's motion to withdraw his motion to amend (Doc. No. 77). No timely objections have been filed. After review, the Court finds no error in the Report and Recommendation.

AND NOW, on this 28th day of July 2014, **IT IS HEREBY ORDERED THAT** Magistrate Judge Mehalchick's Report and Recommendation (Doc. No. 86) is **ADOPTED**, and Plaintiff's motion to voluntarily dismiss the remaining claims (Doc. No. 79) is **GRANTED**.

IT IS FURTHER ORDERED THAT Defendant's second motion to dismiss (Doc. No. 69), Plaintiff's motion to amend (Doc. No. 74), and Plaintiff's motion to withdraw his motion to amend (Doc. No. 77) are **DENIED AS MOOT**. The Clerk of Court is directed to close the case.

S/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania